I would also express my appreciation of the good work of the other Members of the Marumakkathayam Committee, and also of the way in which this important piece of legislation has been dealt with in this Council at different stages. I particularly wish to express my appreciation of the anxiety evinced by the Nair Members of the Council to come to some unanimous conclusion on every one of the numerous (and some of them undoubtedly difficult) points at issue, and also, if I may mention it now, the anxiety of the non-Nair Members to help their Nair colleagues with advice and suggestion, as far as that could be done by outsiders.

And that brings me, Gentlemen, to a point which has always struck me as a very favourable feature in the work of this Council, I mean, the remarkable cordiality which has always prevailed here, the anxiety which the non-official Members have always shown to understand the Government point of view in regard to matters about which we are particular, and I am sure that they would bear me out when I say that we, on our part, have been equally anxious to understand their point of view and to defer to it as far as possible. The result has been that our laws are passed with practical unanimity, and there have been very few occasions when the Council had to divide. I feel certain that, in point of quality and quantity, the record of this Council need not fear comparison with that of any other institution of its kind.

And now, Gentlemen, I have only to express my fervent concurrence with Mr. Kesava Pillai in his hope that the Nair Regulation would, as time advances, be felt to an increasing extent as a most beneficial measure, and that it would help the members of this important community to improve their social condition and secure for themselves an increasing amount of peace, well-being and happiness.

THE PREVENTION OF CRUELTY TO ANIMALS REGULATION AMENDMENT BILL.

In introducing the Bill, Mr. Vieyra briefly explained the necessity for the amendments proposed to Sections 8 and 9 of the Regulation, and he moved that the principle of the Bill be affirmed.

Mr. P. Kesava Pillai stated, in regard to the amendment to Section 9, by which it was proposed to give the President and Honorary Secretary of the Society for the Prevention of Cruelty to Animals, power to order the destruction of animals, that it was likely to lead to difficulties, by involving those officers of the Society in suits for damages, and that therefore it did not seem advisable to invest them with such power.

Mr. Madhavan Tampy also said that it was not desirable to give such power to persons who were not Government officers.

Mr. Richardson too thought it undesirable to give to the officers of the Society power to order the destruction of animals.

After some discussion, Mr. Vieyra withdrew the amendment to Section 9.

The Council then affirmed the principle of the amendment to Section 8.

Mr. Vieyra proposed that the Bill be referred to a Select Committee, consisting of Messrs. R. Ananda Row, P. K. Kesava Pillai and the Mover, to report within one month.

The motion was put and agreed to.

THE CRIMINAL PROCEDURE CODE AMENDMENT BILL.

Mr. Ananda Row proposed that this Bill which had been adjourned to this meeting, be taken up for consideration.

The motion was put and agreed to.

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Section 2.

Mr. Ananda Row proposed that the words "under this Section" be inserted at the end of sub-section (5).

Seconded by Mr. Vieyra.

Carried.

Mr. P. K. Kesava Pillai stated that the last Clause of the existing Section 227 of the Travancore Code provided for the recovery of the compensation already paid to the accused, when the award of compensation was set aside on appeal or revision, and that that provision was omitted in the new Section proposed. He thought it necessary to retain that Clause, as it would be otherwise impossible to recover compensation already paid by mistake. He therefore proposed that the Clause be inserted as sub-section (6).

Seconded by Mr. P. Kesava Pillai.

Carried.

Sections 4, 5, and 6.

Mr. Krishnan Nair proposed that, agreeably to the order of the Sections of the Code, Sections 4, 5 and 6 of the Bill be numbered as 5, 6 and 4, respectively and re-arranged.

Seconded by Mr. Vieyra.

Carried.

New Section 4.

Mr. Ananda Row stated that, since the Select Committee's report was submitted, another Proclamation was issued, relating to the powers of the Special Appellate Judge, to which also reference had to be made in the first para of this Section. He therefore proposed that the word "and" at the end of line 3 be omitted, and that the words "and 9th Chingom 1088/24th August 1912" be inserted after the words "10th October 1908", in line 4.

Seconded by Mr. Vieyra.

Carried.

Mr. Ananda Row then moved that, agreeably to the wording of the last sentence of the new Proclamation, the words "enquiry, trial or other proceeding" be inserted between the words "any case" and the word "from" in line 2 of the proposed new Clause.

Seconded by Mr. Vieyra.

Carried.

New Section 6.

Mr. P. Kesava Pillai said that the Explanation II was superfluous, and that it was not found in the corresponding Section of the Indian Evidence Act. He therefore proposed that it be omitted.

Seconded by Mr. P. K. Kesava Pillai.

After some discussion, the Council resolved that Explanation II should be omitted.

Mr. Ananda Row moved that the amendment to Schedule II, of which previous notice had been given, viz., making cognizable the offences of criminal breach of trust covered by Sections 407 to 410 T. P. C., and also the offences of cheating covered by Sections 420 and 421 T. P. C., be incorporated in the Bill. The amendment, he said, had been suggested by the Superintendent of Police, on account of the difficulties experienced by the Police in distinguishing, in some cases, thefts from the other offences. Those offences were made

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cognizable in British India in 1898, and it was thought necessary that they should be made cognizable here also in the interests of justice.

Mr. P. Kesava Pillai stated that he was not in favour of the amendment proposed, as the power might, as often as not, be abused by the Police, resulting in danger to the public.

Mr. Richardson pointed out that the planters had difficulties in having the thefts committed by cartmen in regard to the tea entrusted to them for transport, taken cognizance of by the Police, on the ground that the offences concerned were not technically thefts.

Messers Madhavan Tampy and P. K. Kesava Pillai also expressed themselves against the amendment.

By direction of the Council, the letter received from the Superintendent of Police was read by the Secretary and considered by the Council.

After some discussion, the Council resolved that the amendment was not necessary.

Mr. Ananda Row proposed that the Bill be read again on a future day, of which notice should be given.

Seconded by Mr. Vieyra.

Carried.

THE FACTORIES BILL.

Mr. Ananda Row presented the report of the Select Committee on the Bill and moved that the report, with the Bill, be taken up for consideration by the Council.

The motion was put and agreed to.

Section 3.

Mr. Ananda Row said that factories for the purpose of preparing rubber and cardamoms, were similar to those for tea or coffee, and that the former should also be excluded from the scope of the proposed law. He therefore proposed that the word "or" occurring between the words "tea" and "coffee" in line 3 of Clause (d) be omitted and that the words "rubber or cardamom" be inserted between the words "coffee" and "plantation", in the same line.

Seconded by Mr. Richardson.

Carried.

Section 4.

Mr. Ananda Row then proposed that the third person plural "they", with necessary modifications according to the context, be substituted in this Section as well as throughout the Bill, for the word "it" and its modifications, wherever this latter pronoun is used to denote the "Government", except in Section 38, line 6, where the words "the opinion of the Government" should be substituted for the words "its opinion".

Seconded by Mr. Vieyra.

Carried.

Section 23.

The President observed that the age of nine years fixed as the minimum age of children fit for employment in factories, appeared to him to be too low, and that it was likely to draw away poor children to factory work, thereby depriving them of the chance of receiving elementary education. Further, factory work required, in

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